

REMARKS

The Applicants respectfully request further examination and consideration in view of the amendment above and arguments set forth fully below. Within the Office Action, Claims 1-11, 16 and 17 were allowed and Claims 12-15 were rejected. In this response, the Applicants have amended Claim 12 and cancelled Claim 14 without prejudice. In addition, the Applicants have added new dependent Claim 18. Therefore, Claims 12, 13, 15 and 18 are pending in this application.

Claims 12-15

It is stated within the Office Action that Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over UK 2,339,834 to Rabenecker in view of U.S. Patent No. 5, 890,634 to Zuckerman et al. (hereinafter Zuckerman). Specifically, it is stated within the Office Action that it would have been obvious to modify the nubbed adapter in Rabenecker so that the adapter bar is flat, as in Zuckerman. The Applicants respectfully disagree.

The present invention at issue is directed to an adapter which removably couples to the clip. It is preferred that the adapter extends out from the inside surface of the clip past the notch to provide a smooth surface on the inside of the clip. The adapter is preferably made of a frictional material which secures the article. The adapter includes a feature located substantially in the center of the adapter surface and extends from the adapter surface toward the inner surface of the clip. The feature frictionally fits within an aperture in the inner surface of the clip, thereby securing the adapter to the clip.

Rabenecker teaches a measuring instrument with a holder 1 whereby the holder secures the measuring instrument to the belt of the user. Rabenecker also teaches two cutouts 13 and 14 which are made of foam rubber, whereby the cutouts 13, 14 are used to increase the frictional force on smooth fabrics and are also removable. However, Rabenecker does not teach an adapter which provides a flat surface to a clip. Instead, Rabenecker teaches that the cutouts 13, 14 are small, round and bump-like, as shown in Figure 1. Accordingly, Rabenecker does not teach the present invention as claimed in amended claim 12.

Zuckerman teaches a clamp-type garment hanger which includes at least two clamp assemblies for securing a garment to the garment hanger. Each clamp assembly includes a pair of removeable clamping members, whereby at least one clamping member has an inner clamping

surface defined at least in part by at least one gripping pad. One side of the gripping pad includes a pair of clamping features which clip the gripping pad to the clamping member.

In contrast to amended claim 12, one skilled in the art would have no motivation to use Rabenecker in view Zuckerman to reach the present invention. As stated above, Rabenecker teaches two cutouts which are spaced apart from one another. However, Rabenecker does not teach that cutouts have a feature which is substantially centered along a width dimension. In addition, Zuckerman does not teach having a feature which removably couples the adapter to an aperture in the inner surface of the clip. Instead, the gripping pad in Zuckerman has two lugs 58 spaced apart from the center of the backing surface 56, whereby each spaced lug 58 is inserted into a correspondingly spaced apart slot 52. In fact, Zuckerman teaches away from the present adapter, because a lug which extends from the center of the gripping pad would protrude into the aperture 32 or abut the U-shaped clamp 30. Accordingly, there is no hint, teaching, or suggestion to use Zuckerman to reach the present invention in amended Claim 12.

Amended Claim 12 recites an adapter for providing a flat surface to a clip, wherein the clip is coupled to an object and having a segment which secures the object to an article worn by a person, the object having a surface adapted to be worn adjacent to the person, the adapter coupled to the segment and positioned between the segment and the surface of the object, wherein the adapter has an adapter length and an extending feature for removably coupling the adapter to the segment, the extending feature substantially centered along a width dimension on an interface surface of the adapter. As stated above, Zuckerman does not teach an adapter having a feature which removably couples the adapter to an aperture in the inner surface of the clip, whereby the feature is substantially entered along a width dimension. Instead, Zuckerman teaches two lugs spaced apart from each other which are inserted into two apertures. Rather, Zuckerman teaches away from the present adapter, because a lug extending from the center of the gripping pad would only be able to be inserted into the center aperture 32 when the U-Shaped clamp 30 is in the open or up position. Similarly, Zuckerman teaches away from the present adapter, because a lug extending from the center of the gripping pad would abut up against the U-shaped clamp 30 when the clamp is shut. For at least these reasons, there is no hint, teaching or suggestion to use Zuckerman with Rabenecker to reach the present invention. Therefore, amended claim 12 is allowable over Zuckerman and Rabenecker, individually or in combination.

Claims 13-15 are also rejected as being obvious over Rabenecker in view of Zuckerman. The Applicants have cancelled Claim 14 without prejudice. Nonetheless, Claims 13 and 15 are dependent on an allowable Independent Claim 12. As stated above, Claim 12 is in a condition

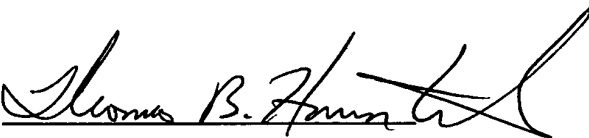
for allowance. Accordingly, Claims 13 and 15 are also in a condition for allowance for being dependent on an allowable base claim.

The Applicants have also added new dependent Claim 18 which is dependent on an allowable Independent Claim 12. As stated above, Claim 12 is in a condition for allowance over the prior art. Accordingly, dependent Claim 18 is also in a condition for allowance for being dependent on an allowable base claim.

For the reasons given above, Applicant respectfully submit that the Claims 12, 13, 15, and 18 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 3-27-03

By: 
Thomas B. Haverstock
Reg. No.: 32,571
Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231

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HAVERSTOCK & OWENS LLP.

Date: 3/27/03 By: Sharon M. Carmick

Marked-Up Version Incorporating Changes

Please cancel Claim 14 without prejudice

Please amend the following claim

12. (Amended) An adapter for providing a flat surface to a clip, wherein the clip is coupled to an object and having a segment which secures the object to an article worn by a person, the object having a surface adapted to be worn adjacent to the person, the adapter coupled to the segment and positioned between the segment and the surface of the object, wherein the adapter has an adapter length and an extending feature for removably coupling the adapter to the segment, the extending feature substantially centered along a width dimension on an interface surface of the adapter.

Please add the following new claim:

18. (New) The adapter according to claim 12 wherein the segment further comprises an aperture for receiving the extending feature.